

DOCKET NO: 381-61CON

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

(x) Original () Supplemental () Substitute () PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"Treatment of Human Tumors with Radiation and Inhibitors of Growth Factor Receptor Tyrosine Kinase"** which is described and claimed in:

- ☐ the attached specification, or
☒ the specification in application Serial No. _____, filed December 7, 1998
entitled "Treatment of Human Tumors with Radiation and Inhibitors of Growth Factor
Receptor Tyrosine Kinase"; and with amendments through (if applicable),
☐ the specification in International Application No. PCT/
_____, filed _____, and as amended
on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. Sec. 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate relating to this subject matter having a filing date before that of the application on which priority is claimed:

<u>COUNTRY</u>	<u>APPL. NO.</u>	<u>FILING DATE</u>	<u>PRIORITY CLAIMED</u>
_____	_____	_____	_____

[] YES [] NO

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

SERIAL NO. FILING DATESTATUS09/079,612May 15, 1998

[]Patented [X]Pending []Abandoned

I hereby appoint the following attorneys and agents, each of them with full power of substitution, revocation and appointment of associates, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Thomas C. Gallagher, Reg. No. 37,066, of ImClone Systems Incorporated, 180 Varick Street, New York, NY 10014; Charles R. Hoffmann, Reg. No. 24,102; Ronald J. Baron, Reg. No. 29,281; Gerald T. Bodner, Reg. No. 30,449; Alan M. Sack, Reg. No. 31,874; A. Thomas Kammer, Reg. No. 28,226; Arlene D. Morris, Reg. No. 32,657; R. Glenn Schroeder, Reg. No. 34,720; Glenn T. Henneberger, Reg. No. 36,074; Irving N. Feit, Reg. No. 28,601; Jessica H. Tran, Reg. No. 40,846; Anthony E. Bennett, Reg. No. 40,910; Gregory W. Bachmann, Reg. No. 41,593; Steven T. Zuschlag, Reg. No. 43,309; Susan A. Sipos, Reg. No. 43,128; William D. Schmidt, Reg. No. 39,492; Kevin E. McDermott, Reg. No. 35,946; Robert C. Morris, Reg. No. 42,910; Wayne L. Ellenbogen, Reg. No. P-43,602; Franklin S. Abrams, Reg. No. P-43,457; and Roderick S.W. Turner, Reg. No. 38,639, each of them of HOFFMANN & BARON, LLP, 350 Jericho Turnpike, Jericho, New York 11753; and Daniel A. Scolia, Jr., Reg. No. 29,855; Salvatore J. Abbruzzese, Reg. No. 30,152; Kirk M. Miles, Reg. No. 37,891; Kevin C. Hooper, Reg. No. 40,402; Robert F. Chisholm, Reg. No. 39,939; and Kellyanne Merkel, Reg. No. P-43,800, each of them of HOFFMANN & BARON, LLP, 1055 Parsippany Boulevard, Parsippany, New Jersey 07054.

Address all telephone calls to: **Irving N. Feit at 516 822-3550.**

Address all correspondence to: **Irving N. Feit, Hoffmann & Baron, 350 Jericho Turnpike, Jericho, New York 11753-1317.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Harlan W. Waksal

Inventor's signature: [Signature] Date: 5/11/99

Residence: 85 Stonebridge Road, Montclair, New Jersey 07042

Post Office Address: Same as the above.

Citizenship: United States of America

Full name of second inventor: Mansoor N. Saleh

Inventor's signature: [Signature] Date: 5/12/99

Residence: 5268 Birdsong Road, Birmingham, Alabama 35243

Post Office Address: Same as the above.

Citizenship: United States of America

Full name of third inventor: Francisco Robert

Inventor's signature: [Signature] Date: 5/17/99

Residence: 1996 Rocky Brook Drive, Birmingham, Alabama 35243

Post Office Address: Same as the above.

Citizenship: United States of America

Full name of fourth inventor: Donald Jay Buchsbaum

Inventor's signature: [Signature] Date: 5/17/99

Residence: 1013 32nd Street South, Birmingham, Alabama 35205

Post Office Address: Same as the above.

Citizenship: United States of America